

evaluating whether a pro se pleading states a claim for which relief can be granted. *Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6th Cir. 1996). Accordingly, the motion to dismiss will be granted, but without prejudice as to Plaintiff Giese filing an amended Complaint within 21 days of this Order.

### III. CONCLUSION

**ACCORDINGLY, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge (docket no. 18), is accepted, Defendant Ocwen's Motion to Dismiss (docket no. 11) is **GRANTED**, and this action is **DISMISSED**, but without prejudice as to Plaintiff Giese filing an amended Complaint within 21 days of this Order.

**IT IS SO ORDERED.**

Dated: March 24, 2015

/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE